

SUMMARY STATEMENT

State v. Towner, Docket #48899

This case comes to the Court on a petition for review from the Idaho Court of Appeals. Gregory Wade Towner, Sr., appeals from his conviction for possession of methamphetamine. The arresting officer found the contraband on Towner's person during a warrantless search. Towner filed a motion to suppress, arguing that the officer's conduct violated his constitutional rights against unreasonable searches and seizures. The district court denied Towner's motion after concluding that the officer's seizure and subsequent search were a reasonable exercise of the officer's community caretaking function. On appeal, Towner argued the district court erred in failing to consider the protective custody statute—Idaho Code section 66-326(1)—when evaluating the reasonableness of the officer's actions.

The Idaho Supreme Court reversed and remanded the case with instructions for the district court to enter findings of fact related to whether the State proved that Towner was “gravely disabled” or an “imminent danger” to himself or others because of his mental illness under Idaho Code section 66-326(1), before he was taken into protective custody.

******This summary constitutes no part of the opinion of the Court, but has been prepared by court staff for the convenience of the public.******